Applicant : Tucker et al.   Attorney's Docket No.: 16113-0339001 / GP-221-00-US
Serial No. : 10/812,901
Filed   : March 31, 2004
Page   : 10 of 16

REMARKS

Applicants have received the Office Action mailed March 18, 2008. Claims 2 and 24 have been canceled in this Response, and claim 32 is withdrawn. Applicants have amended claims 1, 3-8, 12, 13, 16-18, 20, 21, 23, and 25-31. Claims 1, 3-23, and 25-31 are pending, of which claims 1, 23 and 31 are independent. Applicants request reconsideration of the pending claims in view of the amendment and the following remarks.

Summary of Examiner Interview

Applicants appreciate the courtesies extended by Examiner Betit during a telephone interview of July 16, 2008. During the telephone interview, Applicants and the Examiner discussed possible amendments to claim 31, and further discussed the Bowman, Ortega and Nayak references generally. Applicants appreciate the Examiner's preliminary assessment that amendments consistent with the telephone interview would likely overcome the references currently of record.

Claim Rejections—35 U.S.C. § 101

The Examiner rejected claims 23-30 under 35 U.S.C. § 101.

Claims 23-30 have been amended to recite a "computer-readable storage device," which Applicants submit is clearly statutory.

Support for the amendments can be found in the originally filed specification, including, for example, at ¶ 0021. Accordingly, no new matter has been added.

Applicants request that the § 101 rejections of claims 23-30 be withdrawn.

Claim Rejections—35 U.S.C. §§ 102 and 103

The Examiner rejected independent claims 1 and 23 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,006,225 ("Bowman") as follows:

> 12.   Claims 1-10, 20, and 22-30 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by US patent No. 6,006,225, known hereafter as Bowman.
> *As per independent Claims 1, 5 and 23*, Bowman teaches the limitations as follows: <u>receiving a first search query having a first content, comprising a plurality of</u>

components, rewriting the first search query into a modified search query; {Col 13 line 65-col 14 line 151}

mapping the first search query to the modified search query in a cache memory; {Col 8 lines 44-48 Teaches logging all queries, which include those which have been rewritten, col 8 lines 15-19 teach generating the mapping and storing it in a query correlation table, and col 5 line 37-38 teach the correlation table being stored in a cache memory)

receiving a second search query having a second content;

determining whether at least a portion of the second content is substantially identical to the first content;

responsive to the at least one portion of the second content being substantially identical to the first content, substituting the modified search query for the at least one portion of the second content to form a modified second search query; and

issuing a search of the modified second search query having the substituted modified search query to return one or more search results as responsive to the received second search query. {Col 6 lines 19-31 and Figure I item 133 is the backend data system} (Emphasis in the Office Action).

In the last response, dated August 30, 2007, Applicants distinguished Bowman. In particular, Applicants argued, with reference to the previous language of the claims, that:

Bowman does not disclose or suggest receiving a first search query having a first content, comprising a plurality of components; rewriting the first search query into a modified search query; and mapping the first search query to modified search query in cache memory—*where the first search query comprises a plurality of components.* Rather, Bowman appears to describe a system that operates on individual query terms, rather than on multi-term queries as a *whole.* (See page 11; Applicants herein incorporate by reference the remarks of the August 30, 2007, Response).

Applicants further argued that:

Bowman does not disclose or suggest determining whether at least a portion of the second content matches the first content; responsive to the at least one portion of the second content matching the first content, substituting the modified search query for the at least one portion of the second content to form a modified second search query; and issuing a search of the modified second search query having the substituted modified search query to return one or more search results as responsive to the received second search query. Rather, Bowman describes receiving and processing an initial query, presenting results that are responsive to the initial query, providing related terms that best match the initial query, and allowing the user to select related terms in a separate, follow-up query.

Nothing in Bowman is substituted. Bowman merely describes processing two separate queries—a first initial one, and a second, separate refined query—if one is provided by the system (e.g., because the number of results responsive to the first query exceeds a threshold number) and subsequently selected by the user. (See pages 13-14).

In the current Office Action, the Examiner responded as follows:

Applicant : Tucker et al.
Serial No. : 10/812,901
Filed : March 31, 2004
Page : 12 of 16

Attorney's Docket No.: 16113-0339001 / GP-221-00-US

17. In response to the applicant's arguments that Bowman does not disclose "a first search query having a first content, comprising a plurality of components", the arguments have been considered, but are not deemed persuasive. Bowman clearly discloses receiving "multiple-term queries", see column 13, lines 24-29. The applicant's claims may require a plurality of components, but the claims do no dictate how the plurality of components is rewritten into a modified search query. While the method of handling queries with a plurality of components may be different in Bowman than in the applicant's specification, the difference is not currently evident from the claim limitations. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See In re van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to the applicant's arguments that Bowman does not disclose "substituting the modified search query for the at least one portion of the second content to form a modified second search query", the arguments have been considered, but are not deemed persuasive. The applicant appears to take issue with the fact that Bowman requires the user to select the query from a list of modified search queries prior to the query being executed. However, since the applicant has used the term "comprising" which is an open ended transitional term, the claims are not limited to the steps recited. If Bowman requires the additional step of the user selecting the query to be issued before "issuing a search of the modified second search query", Bowman still fully anticipates the claim. Further it is noted that in column 14, lines 25-32, an embodiment is discussed where the server automatically applies the top suggested modified query.

Applicants present herein additional amendments that make the previously argued distinctions even more clear. Applicants do not concede that Bowman anticipates the claims in their previous form, but rather present amendments herein for purposes of expediting prosecution.

Amended claim 1 recites, *inter alia*, "receiving a first search query having first content, the first content comprising a plurality of search terms forming a phrase," "rewriting the first search query, based on the phrase, into a modified search query" and "executing a search that includes the modified search query in place of the at least one portion of second search query and returning one or more corresponding search results as responsive to the received second search query."

As discussed in the telephone interview, amended claim 1 recites "rewriting the first search query, *based on the phrase*," which is formed by "a first plurality of search terms"—in contrast to Bowman's operation on individual query terms. Moreover, amended claim 1 recites "executing a search that includes the modified search query in place of the at least one portion of second search query" Thus, a revised phrase is inserted in a rewritten second query based on its

Applicant : Tucker et al.
Serial No. : 10/812,901
Filed : March 31, 2004
Page : 13 of 16

Attorney's Docket No.: 16113-0339001 / GP-221-00-US

insertion in a rewritten first query. In contrast, Bowman rewrites no phrase at all, but rather uses multiple different queries that are extracted iteratively from a user.

For at least the reasons presented above, Applicants submit that amended claim 1 distinguishes over Bowman, and Applicants request that the § 102(b) rejections over Bowman of independent claim 1, and of corresponding dependent claims 3-22, be withdrawn.

Independent claim 23 has been amended to recite, *inter alia*, "receiving a first search query having first content, the first content comprising a plurality of search terms forming a phrase," "rewriting the first search query, based on the phrase, into a modified search query," "receiving [a] second search query having second content," "determining whether at least one portion of the second content matches the first content," and "in response to the at least one portion of the second content matching the first content, issuing a search that includes the modified search query in place of the at least one portion of the second search query..."

For at least the reasons presented above with respect to claim 1, Applicants submit that amended independent claim 23 also distinguishes over Bowman, and Applicants request that the § 102 (b) rejections over Bowman of independent claim 23, and of corresponding dependent claims 25-30, be withdrawn.

Independent claim 31 was also rejected based on Bowman (under 35 U.S.C. § 103(a), based on the combination of Bowman and U.S. Patent No. 6,564,213 ("Ortega")). In view of Applicants' above-referenced interview with the Examiner regarding claim 31, claim 31 has been amended to recite, *inter alia*, "receiving at a search interface a plurality of instances of a first search query having a first plurality of search terms forming a phrase," "rewriting the first search query, based on the phrase, into a modified search query," "receiving [a] second search query," "determining that at least one portion of the second query matches one or more of the first plurality of search terms," and "executing a search of the modified second search query in place of the at least one portion of the second search query, and returning one or more corresponding search results as responsive to the received second search query."

For at least the reasons presented above with respect to claims 1 and 23, Applicants submit that the amended claim 31 distinguishes over the combination of Bowman and Ortega. That is, amended claim 31 distinguishes over Bowman as indicated above, and Ortega does not address the above-identified deficiencies in Bowman. Accordingly, amended clam 31 is patentable over the Bowman-Ortega combination. Applicants request that the § 103 rejection of claim 31 be formally withdrawn.

Support for the amendments to claims 1, 23 and 31 can be found in the originally filed specification, including, for example, at ¶¶ 0006, 0031 and 0040, and in FIG. 1 and the corresponding description. Amendments to other claims also find support in the originally filed specification, and in the context of the amendments to the independent claims. Accordingly, no new matter has been added.

The Examiner separately rejected various claims, including independent claims 1 and 23 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent Application Publication No. 2005/0222975 ("Nayak") as follows:

> 10.   Claims 1, 2, 3, 5, 9, 23 - 25, and 28 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by US patent application publication No. 20050222975, known hereafter as Nayak.
>   *As per independent Claims 1, 5 and 23*, Nayak teaches the limitations as follows:
> receiving a first search query having a first content comprising a plurality of components(Para 34);
> rewriting the first search query into a modified search query;
> mapping the first search query to the modified search query in a cache memory {Para 46 of Nayak, beging [sic] on the third line from the bottom of the first column "After a query i s expanded, the expansion component can provide the expanded expression to a shared memory 1014. The query expander client component 1012 can retrieve the expression from the shared memory 1014 and load it into keyword cache 1016, which can be utilized by execution engine component 770 to query the compressed index 760.")
> receiving a second search query having a second content;
> determining whether at least a portion of the second content is substantially identical to the first content;
> responsive to the at least one portion of the second content being substantially identical to the first content, substituting the modified search query for the at least one portion of the second content to form a modified second search query; and
> issuing a search of the modified second search query having the substituted modified search query to return one or more search results as responsive to the received second search query.{ Para 46 of Nayak, "The optimized query can then be passed to execution engine component 770 for execution. The query can be executed at that

> time or alternatively the query can be expanded first. Query expander client
> component 1012 can receive the index query string from the execution engine
> component 770. Subsequently, the expander client component 1012 can check to
> determine whether an expanded query is located in the keyword cache 1016.
> Keyword cache 1016 provides a very fast memory that the execution engine
> component 770 can utilize. If the expanded query is located in the keyword cache the
> execution engine component 770 can simply retrieve the expanded query from the
> cache.") (Emphasis in the Office Action).

Applicants submit that amended claims 1 and 23 distinguish over Nayak for similar reasons as those provided above with respect to Bowman. In particular, cited paragraph 0046 of Nayak appears to describe a system that *processes individual tokens of a query separately*, after a "parser component receives a query string and parses the string into a plurality of tokens"—in contrast to Applicants' method of "rewriting the fist search query, *based on the phrase*," which is formed by a "first *plurality of search terms*."

Accordingly, Applicants submit that amended claims 1 and 23 also distinguish over Nayak, and Applicants request that the § 102(e) rejections based on Nayak be withdrawn of independent claims 1 and 23, and of corresponding dependent claims 3-22 and 25-30.

Request for Initialed Form PTO 1449

Upon reviewing the file, Applicants noted that they have not received an initialed copy of the PTO Form 1449 that accompanied an Information Disclosure Statement filed December 27, 2006. Applicants' records show that this Information Disclosure Statement complied with 37 CFR 1.97. Thus, the Examiner is requested to initial and return this form with the next action.

Conclusion

Applicants respectfully submit that pending claims 1, 3-23 and 25-31 are in condition for allowance and request that the Examiner allow them.

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the
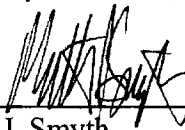
amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to this amendment.

Submitted herewith is a Request for Two-Month Extension of Time and the requisite fee. No other fees are believed to be due. If this is in error, please apply any other charges, or credits, to deposit account 06-1050.

Respectfully submitted,

Date:_____ AUGUST 18, 2008 _____   _____
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